

Docket No. 50425/0262

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No. : 1663

Applicant : Yousef Al-Abed

Appl. No. : 10/594,641 (National Stage of PCT/US2005/010521)

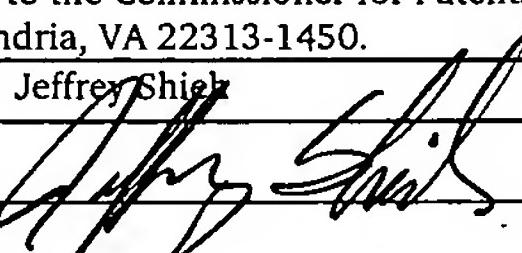
I.A. Filing Date : March 29, 2005

For : TREATMENT OF TYPE 1 DIABETES WITH INHIBITORS OF MACROPHAGE MIGRATION INHIBITORY FACTOR

Customer No. : 1912

**AMENDMENT IN RESPONSE TO MARCH 5, 2008
NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 AND INFORMATION DISCLOSURE STATEMENT**

Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

"Express Mail" mailing label no.		EV 800503146 US
Date of Deposit:	March 28, 2008	
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.		
Name:	Jeffrey Shiek	
Signature:		

Dear Sir:

In response to the Notification of Missing Requirements Under 37 U.S.C. 371 that was mailed by the U.S. Patent Office on March 5, 2008 in connection with the above-identified application, applicant encloses the following:

1. a copy of the Notification of Missing Requirements (2 pages);
2. Declaration executed by the inventor (2 pages);
3. Power of Attorney and Correspondence Address Indication Form executed by the inventor (1 page);
4. a paper copy of the Sequence Listing (2 pages);
5. a computer readable form of the Sequence Listing;

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6. a PTO/SB/08A and PTO/SB/08B form;
7. copies of a February 28, 2007 International Search Report (6 pages), an April 24, 2007 International Preliminary Report on Patentability (1 page), and a February 28, 2007 Written Opinion of the International Searching Authority (4 pages) issued in connection with related PCT International Application No: PCT/US2005/010521;
8. a check for \$65 to cover the surcharge fee; and
9. a return receipt postcard.

A response to the Notification of Missing Requirements is due on May 5, 2008. Accordingly, this response is being timely filed.

04/01/2008 GFREY1 00000067 10594641
01 FC:2617 65.00 DP

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Amendments to the Specification

Please enter the Sequence Listing attached hereto in both computer readable form on floppy disk and in paper form (2 pages) as the Sequence Listing for the subject application.

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Statement Regarding Sequence Listing

In accordance with 37 C.F.R. 1.821(f), applicants maintain that the Sequence Listing information recorded in computer readable form filed herewith on diskette is identical to the paper copy of the Sequence Listing (2 pages) filed herewith, and does not introduce new matter.

Information Disclosure Statement

This Information Disclosure Statement (IDS) is being submitted pursuant to 37 C.F.R. §1.97(b)(3) in connection with the subject application.

In accordance with the duty of disclosure under 37 C.F.R. §1.56, applicants would like to direct the Examiner's attention to the references that are listed on the enclosed forms PTO/SB/08A and PTO/SB/08B. Copies of the International Search Report, International Preliminary Report on Patentability and Written Opinion in related application PCT/US2005/010521 are enclosed.

Because this IDS is being filed under 37 C.F.R. 1.97(b)(3) before the mailing of a first Office Action on the merits, no fee is required.

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Conclusions

No fee, other than the enclosed \$65.00 surcharge for filing the Declaration, is deemed necessary in connection with the filing of this Amendment. However, if this fee is in any way deficient, or if any additional fee is required to preserve the pendency of the subject application, authorization is hereby given to charge any such fee to Deposit Account No. 01-1785.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP
Attorneys for Applicant
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New York, New York 10016
(212) 336-8000

Dated: March 28, 2008
New York, New York

By: 
Jeffrey Shieh
Registration No. 61,862



UNITED STATES PATENT AND TRADEMARK OFFICE

56425/262
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/594,641	Yousef Al-Abed	50425/262
1912 AMSTER, ROTHSTEIN & EBENSTEIN LLP 90 PARK AVENUE NEW YORK, NY 10016	INTERNATIONAL APPLICATION NO. PCT/US2005/010521	
RECEIVED MAR 10 2008 AMSTER ROTHSTEIN & EBENSTEIN, LLP		I.A. FILING DATE PRIORITY DATE 03/29/2005 03/29/2004
CONFIRMATION NO. 1663 371 FORMALITIES LETTER		
 OC000000028591855		

Date Mailed: 03/05/2008

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 09/28/2006
- Copy of the International Search Report filed on 02/28/2007
- Copy of IPE Report filed on 02/28/2007
- Preliminary Amendments filed on 10/25/2006
- U.S. Basic National Fees filed on 09/28/2006
- Priority Documents filed on 09/28/2006
- Specification filed on 09/28/2006
- Claims filed on 09/28/2006
- Abstracts filed on 09/28/2006
- Drawings filed on 09/28/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.
- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c). Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as

required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217